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| DIVISION OF MINED LAND RECLAMATION | | PROCEDURE NO. | 2.3.06 |
| PROCEDURES MANUAL | | ISSUE DATE | February 20, 2004 |
| SUBJECT | Permit Renewals | Section | Technical/Permitting |
| | | Last Revised | 8-2-99 |

OBJECTIVE AND INTENT:

To ensure complete permit renewal applications (coal surface mining operation and National Pollutant Discharge Elimination System) and renewal fees are properly handled by enforcement and permitting personnel.

PROCEDURES:

Notifications:

The Reclamation Program Manager will obtain a monthly computer print out from OMIS which provides the company name, permit number, current status, expiration date, and renewal date for those permits expiring in seven months.

The Reclamation Program Manager shall send written notice by certified mail to the permittee at least 180 days prior to the permit's expiration date. A copy of the notification shall be sent to the appropriate Field Inspector.

The notification for renewal will inform the permittee of the renewal procedure, and provide the following information:

- if mining activities are to continue beyond the permit term, a renewal application must be submitted to the Division at least 120 days before the expiration of the permit.
- the coal surface mining operation (CSMO) portion of the mining permit would not have to be renewed once the mining permit has been declared complete, completion reports have been submitted to the Division, or when the permittee informs the Division in writing that mining will not continue after the permit's expiration date.
- the National Pollutant Discharge Elimination System (NPDES) permit must remain in force until final bond release (i.e., NPDES permits will be renewed every five years as long as any discharge exists). The permittee would be required to submit the NPDES renewal application to the Division at least 120 days prior to permit expiration.

Failure to Submit:

Should the permittee fail to submit the renewal application by the due date, the Reclamation Program Manager shall notify the Reclamation Services Manager so appropriate action may be taken per Procedure #3.3.01.

Field Review:

The Inspector shall:

- review the application for completeness and accuracy. If the application is not complete, document the corrections or additional information needed (provide a copy to the company's representative).
- once determining the application to be administratively complete and ready for technical review, assign a publication/application number.

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- initial or stamp the application and attach the “Application Checklist and Routing Slip” (**DMLR-PT-008**).
- instruct the permittee to submit a complete set of the renewal application to the Division, and to place a copy of the material at the Court House or public office for public review and copying by the first date of public notice’s publication.

Office Review:

The Customer Assistance Center will check that a review was made by the Field Inspector (noting the inspector’s initials or stamp on materials), and route the application to the Permit Section.

The Review Inspector will route the NPDES portion of the application to the Water Quality section for technical review.

The permittee only needs to submit the information required for the renewal application (see below) if he intends to continue operations within the existing permit boundaries and approved detailed plans. Should he wish to revise the current plans or extend the mining and reclamation operation beyond the boundaries authorized in the existing permit, 2 separate application packages must be submitted:

- **Revision application** – (DMLR-PT-034e) to include sections 1, 2, 21 and those sections proposed to be revised and all applicable sections of the application for the areas to be amended to the existing permit.
- **Renewal Application** – The permittee should be informed that the following information must be provided with the renewal application.

A. **CSMO/NPDES** - A complete **renewal application** for a CSMO/NPDES permit shall contain:

1. Application for permit renewal.
 - (a) DMLR-PT-034e – (type of application code = **TJ**). If there are no changes to the existing plans, only the applicable portions of Sections 1 through 3.
 - (b) DMLR-PT-034D – certification.
 - (c) DMLR-PT-034p/DMLR-PT-034o – only if there are changes to the information currently on file with the Division.
2. NPDES application (DMLR-PT-128).
3. Sample public notice.
4. Proof of publication (shall be filed with the Division and made a part of the complete application not later than 4 weeks after the date of publication).
5. Proof of liability insurance coverage (copy of the current policy on file).
6. Renewal map with legend (DMLR-PT-017), showing at a minimum the permit boundary area, the locations(s) of all approved NPDES, groundwater, and surface water (including in-stream) monitoring locations.
7. Map showing the extent of underground mining (if applicable).
8. Operator’s seeding report (DMLR-PT-011) – only if seeding has occurred since progress report from the previous year.
9. Proof that the performance bond is adequate.

B. **NPDES Only** - (no mining to occur after the permit’s expiration date) The Inspector shall review and initial the NPDES renewal application material, and instruct the permittee to submit a complete

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application to the Division. The application must contain:

1. Renewal application
 - (a) DMLR-PT-034e – Section 1. (type of application code = **TN**).
 - (b) DMLR-PT-034D – certification.
2. A copy of the public notice to be published in a local newspaper at least 1 week, with a 30 day comment period.
3. Proof of publication (shall be filed with the Division and be made a part of the complete application within 4 weeks of the publication date).
4. Evidence of liability insurance coverage (4 VAC 25-130-800.60(b)).
5. NPDES application form (DMLR-PT-128).
6. Renewal map with legend (DMLR-PT-017), showing at a minimum the permit boundary area, the locations(s) of all approved NPDES, groundwater, and surface water (including in-stream) monitoring locations.

RENEWAL FEES ARE NOT APPLICABLE FOR RENEWAL OF NPDES ONLY PERMITS.

Corrections - After review, if corrections are required, the Review Inspector will send the application correction letter specifying a resubmittal date. This letter will include all comments made by the DMLR reviewers.

Approval of application - Once the application is ready for approval, the Review Inspector will calculate the applicable bonds and fees, and notify the applicant in writing of the appropriate amounts. The fees and bond must be received prior to official issuance of the renewal.